

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TANGANYIKA WILKERSON,

Plaintiff,

Case No. 25-cv-11042

v.

HON. MARK A. GOLDSMITH

DEBT HOLDINGS, LLC.

Defendant.

_____ /

ORDER REMANDING CASE

Tanganyika Wilkerson filed a notice of removal from state court (Dkt. 1). Wilkerson appears as the Plaintiff in this action, but she is the sole Defendant in the state court action, which was filed by Debt Holdings, LLC. Debt Holdings brings claims against Wilkerson in state court for breach of lease and breach of guaranty. Notice of Removal at PageID.9–12. In the notice of removal, Wilkerson brings counterclaims against Debt Holdings under the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. Id. at PageID.1–2. She asserts that this provides a basis for federal question jurisdiction. Id. at PageID.3.

Removal of this action is improper, however, because a counterclaim cannot serve as the basis for federal question jurisdiction. See, e.g., Holmes Grp., Inc. v. Vornado Air Circulation Sys., Inc., 535 U.S. 826, 831 (2002) (“[A] counterclaim—which appears as part of the defendant's answer, not as part of the plaintiff's complaint—cannot serve as the basis for [federal] jurisdiction”); Towerco 2013, LLC v. Berlin Twp. Bd. of Trs., 110 F.4th 870, 887 (6th Cir. 2024) (explaining that “a federal counterclaim . . . has never been sufficient to remove to federal court). Here, Debt Holdings’ complaint in state court brings only state-law claims against Wilkerson;

there is no basis for federal question jurisdiction on the face of the complaint. Wilkerson's attempt to bring a counterclaim under federal law does not provide a basis for removal. For these reasons, the action is remanded to Wayne County Circuit Court.

SO ORDERED.

Dated: April 30, 2025
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge